

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Joahn Eker	§	Group Art Unit:	2166
Application No	10/595,984	§	Examiner:	Bruce A. Witzenburg
Filed:	02/15/2007	§	Confirmation No:	1283
		§		
Attorney Docket No:	P18656-US2			
Customer No.:	27045			

For: UPDATING DATA IN A MOBILE TERMINAL

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APPLICANTS' REPLY BRIEF FILED UNDER 37 C.F.R. §1.193(b)(1)

In response to the Examiner's Answer having a mail date of November 28, 2011, Appellant submits this reply brief to address the Examiner's arguments.

Argument

In response to Appellant's argument that "Levi and Gary, taken alone or in any permissible combination, fail to disclose, teach, or even suggest 'receiving dedicated differential update instructions' wherein the dedicated differential update instructions comprise differential update instructions used to generate the updated data version and differential update instructions used to repair the data that is inconsistent with the first data version,' as recited in independent claim 22," Examiner refers to col. 2, lines 38-58 of Levi, which discusses:

*An aspect of some preferred embodiments of the invention relate to **data redress by an output monitor**. In a preferred embodiment of the invention, **a copy of some or all of the data** which can be transmitted is stored at a secure location. When data is proscribed from being transmitted, for example for reason of it being tampered, the output monitor obtains a "clean" copy of the data from the secure location **and transmits the clean data instead**. In some cases, the clean data may be more limited than the original*

*data, for example a message which indicates that data is not being transmitted. Alternatively, proscribed data is not transmitted, so that transmitted WWW pages contain blank areas. **Alternatively, a standard message is transmitted, to fill in the blank areas.** Alternatively or additionally, **the transmitted WWW page is modified** so that the page appears not to be missing data and/or so that the distortion of the page is minimized. Alternatively, the altered data is allowed to go out, **with an additional message**, for example, to warn the user of possible corruption. An example of such a message is a disclaimer of warranty for the content of the data. Another example of a message is a warning that the data may be incorrect. (Emphasis added by Examiner on pages 12-13 of Examiner's Answer)*

However, Appellant asserts that the cited passage of Levi merely discusses the verification of data stored on a WWW server before the server sends the data to a requesting user. If the data is determined to be corrupted, the output monitor can redress the data by sending clean data or sending the suspected altered data with a disclaimer of warranty of the data. Verifying data stored on a server before sending out the data to a user is starkly different from receiving "differential update instructions" to generate an updated data version and "differential update instructions" to repair data that is inconsistent from a first data version, where the data to be updated or repaired is located in a "mobile terminal" as recited in claim 22.

Examiner has made similar arguments with respect to claims 37, 38, 39, and 40 and since those claims recite substantially similar elements to claim 22, Applicant respectfully submits that independent claims 22, 37, 38, 39, and 40 (and all claims dependent therefrom) are patentable for at least this reason, as well as the reasons presented in the Appeal Brief dated August 25, 2011.

CONCLUSION

As established by the arguments in Appellant's original brief, and further elaborated herein in response to the Examiner's Answer, claims 22-42 are patentable over the prior art of record, and Appellant requests that the rejections thereof be reversed and the application be remanded for further prosecution.

Respectfully submitted,

/ Ronald S. Liu /

Ronald S. Liu
Registration No. 64,170
Ericsson Patent Counsel

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Ericsson Inc.
6300 Legacy Drive, M/S EVR1 C-11
Plano, Texas 75024

(972) 583-8512
ronald.liu@ericsson.com